

10-2020

Assembly Committee on Aging and Long-Term Care, 2019–2020 Legislative Summary

Assembly Committee on Aging and Long-Term Care

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**Assembly Committee on
Aging and Long-Term Care**
Assemblymember Adrin Nazarian, Chair

2019–2020

Legislative Summary



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October 30, 2020

To Whom It May Concern:

As this report is published, we find ourselves amidst a crisis unforeseen and unimaginable. What began in March of this year, continues now with no timeline to help guide us. The COVID-19 pandemic forced all of us to redefine our priorities and how we do business and deliver service. The California State Legislature finished out our second year of the 2019-2020 legislative term with significant paring to our legislative bills.

While 2020 did not allow the Assembly Aging and Long-Term Care Committee to analyze much of the legislation introduced earlier in the year, we were proud to advance legislation earlier in the term relating to Alzheimers and dementia caregiving and service delivery; establishing a No Wrong Door System; elder abuse prevention and victim support; housing; fall prevention; and framework to support the Master Plan on Aging.

We were deeply involved in the fight to proposed budget cuts to seniors and people living with disabilities this year. A final budget passed and signed by the Governor for 2020-21 maintained community-based programs, family caregiving, ombudsmen services, and senior nutrition services. All programs that remain a priority for me personally and those who sit on this committee.

As we look to the future, uncertainty around COVID-19 remains, but our commitment to seniors, long-term care and people living with disabilities remains as solid as ever before.

Sincerely,

A handwritten signature in black ink, appearing to read "Adrin Nazarian", with a long horizontal flourish extending to the right.

Adrin Nazarian
Chair

AN:kk

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Adult Day Services

ACR-163 (Maienschein) - Adult day services: intergenerational programs.

This measure would proclaim that intergenerational play may have a profound effect on youth and older adults, that the optimism and energy of children and young adults is worth sharing and may have a positive effect on older adults, and that the Legislature will increase public awareness about the benefits of intergenerational programs by encouraging Members of the Legislature to host events in their districts that stimulate intergenerational programs and models.

Due to the COVID-19 Pandemic and the unprecedented nature of the 2020 Legislative Session this measure did not move forward.

Status: Died – Assembly Aging and Long Term Care Committee

Alzheimer's Disease

AB-2001 (Nazarian) - Alzheimer's Disease and Dementia Caregiver pilot program.

This bill would require the department, upon appropriation by the Legislature, to establish and administer the Alzheimer's Disease and Dementia Caregiver Pilot Program, a 3-year pilot program, to support expanded access to evidence-based or evidence-derived dementia caregiver education programs, and to perform specified duties, including prioritizing innovative proposals seeking to reach specified communities, and awarding grants. The bill would repeal these provisions on January 1, 2026.

Due to the COVID-19 Pandemic and the unprecedented nature of the 2020 Legislative Session this measure did not move forward.

Status: Died – Assembly Aging and Long Term Care Committee

AB-2048 (Limón) - Alzheimer's disease: patient informational tool.

The Mello-Granlund Older Californians Act establishes the Community-Based Services Network, administered by the California Department of Aging, which, among other things, requires the department to enter into contracts with local area agencies on aging to carry out the requirements of various community-based services programs. Among these programs is the Alzheimer's Day Care-Resource Center Program. The Alzheimer's Day Care-Resource Center Program is required to provide access to specialized daycare resource centers for individuals with Alzheimer's disease and other dementia-related disorders, and to provide support to their families and caregivers.

This bill would require the department, by July 1, 2021, to develop an informational tool to assist individuals and their caregivers in communicating with health care providers after receiving a diagnosis of Alzheimer's disease and to make that tool available to the public, as specified. The bill would require the tool to be based on a specified publication, and would require the department to update the information provided in that publication and to ensure that the tool meets the needs of an increasingly diverse aging population. The bill would require the department to evaluate the tool for effectiveness at least once every 3 years, contingent on the availability of funding. The bill would be implemented using existing department resources.

Due to the COVID-19 Pandemic and the unprecedented nature of the 2020 Legislative Session this measure did not move forward.

Status: Died- Assembly Aging and Long Term Care Committee

Building Standards

SB-280 (Jackson) - Older adults and persons with disabilities: fall prevention.

This bill, at the next triennial building standards rulemaking cycle that commences on or after January 1, 2020, required the Department of Housing and Community Development to investigate possible changes to the building standards in the California Residential Code for adoption by the California Building Standards Commission to promote aging-in-place design, as specified.

Status: Chapter 640, Statutes of 2019

CA Department of Aging

AB-970 (Salas) - California Department of Aging: grants: transportation.

This bill made grant awards available under the State Air Resources Board's Clean Mobility Options program for disadvantaged communities and low-income communities to eligible applicants, including, but not limited to, area agencies on aging and public transit operators. The grant awards would be used to fund transportation to and from nonemergency medical services for older individuals and persons with disabilities, for the purpose of reducing greenhouse gas emissions. The bill required that transportation be made available using the purchase, lease, operation, or maintenance of zero-emission vehicles, or, under specified circumstances, near-zero-emission vehicles, with a capacity for 7 to 15 passengers, inclusive.

The bill authorized the allocation of moneys from the Greenhouse Gas Reduction Fund, upon appropriation by the Legislature, to fund the grant program.

This bill required the California Department of Aging, on or before July 1, 2020, to hold a public workshop devoted to the topic of overcoming barriers in providing transportation to and from nonemergency medical services for older individuals and persons with disabilities. The bill specified the components of the workshop, including, but not limited to, presentations by the State Air Resources Board and public transit agencies on specified issues. The bill repealed the public workshop provisions on January 1, 2021.

Status: Assembly-Vetoed

Governor's Veto Message: To the Members of the California State Assembly:

I am returning Assembly Bill 970 without my signature.

This bill would fund near-zero emission and zero emission vehicles for transportation to nonemergency medical services for older individuals and disabled persons by allocating Greenhouse Gas Reduction Fund (GGRF) dollars through the Clean Mobility Options program.

While funding additional types of near-zero emission or zero emission vehicles may help the State meet both the goals of reducing greenhouse gas emissions and increasing community access to nonemergency medical service transport, this bill would create a cost pressure on the GGRF. This allocation of potentially many millions of dollars should be discussed as part of the overall GGRF expenditure plan in the budget.

Sincerely,

Gavin Newsom

AB-1137 (Nazarian) - The California Department of Aging.

This bill required the California Department of Aging (CDA) to provide area agencies on aging (AAAs) the flexibility to develop and manage specified programs, including the block granting of funds to administer programs. The bill would also recast and revise the parameters of specified community-based services programs and repeal the Senior Center Bond Act of 1984.

Status: Senate-In Committee Process - Appropriations

AB-2810 (Nazarian) - The California Department of Aging.

Existing law, the Mello-Granlund Older Californians Act, establishes the California Department of Aging in the California Health and Human Services Agency, and sets forth its mission to provide leadership to the area agencies on aging in developing systems of home- and community-based services that maintain individuals in their own homes or least restrictive homelike environments. Existing law requires the department to develop minimum standards for service delivery, and requires those standards to ensure that a system meets specified requirements, including that it has cost containment and fiscal incentives consistent with the delivery of appropriate services at the appropriate level.

This bill would delete that cost containment and fiscal incentives requirement.

The act establishes the Community-Based Services Network, administered by the department, which requires the department to enter into contracts with local area agencies on aging to carry out the requirements of various community-based services programs, including Alzheimer's day care resource centers, the Brown Bag Program, the Foster Grandparent Program, the Linkages Program, the Respite Program, and the Senior Companion Program.

This bill additionally would require the department to provide the area agencies on aging with flexibility to develop and manage programs based on need, including the

block granting of funds to administer the above programs. The bill would recast and revise the parameters of specified community-based services programs.

Existing law, the Senior Center Bond Act of 1984, provided for the sale of general obligation bonds, the proceeds of which were to be used, upon appropriation by the Legislature, to make awards to private nonprofit agencies for the purpose of acquiring, renovating, constructing, and purchasing of equipment for senior centers, funding startup costs of programs, or program expansion of senior center programs.

This bill would repeal those provisions.

Due to the COVID-19 Pandemic and the unprecedented nature of the 2020 Legislative Session this measure did not move forward.

Status: Died – Assembly Aging and Long Term Care Committee

CA Department of Community Living

AB-1136 (Nazarian) - California Department of Community Living.

This bill established the California Department of Community Living within the California Health and Human Services Agency to consolidate leadership on issues and programs serving California's older adults, people with disabilities, and caregivers. The bill prescribed the duties of the department, including assisting older adults and people with disabilities in connecting to specified services including care coordination, health insurance counseling, peer-based programs, and community transition services.

The bill required the department to establish a statewide No Wrong Door system to assist older adults, people with disabilities, and caregivers in obtaining accurate information and timely referrals to appropriate community services and supports, using specified means.

The bill required the department to assist specified state entities in carrying out their mandated duties to advocate for the needs of California's older adults and people with disabilities, and required the department to provide leadership in enhancing and streamlining access to specified programs for those individuals.

This bill required the department to allocate funding through a number of mechanisms to programs identified by the department that link individuals to the right services at the right time. The bill required the department to provide block grants to area agencies on aging to provide services through specified home and community-based services programs, as specified, and required the department to continue funding for independent living centers based on current levels, as specified. The bill required the department to increase access to the Aging and Disability Resource Connection program to streamline local service delivery through funding, technical assistance, and coordination with area agencies on aging and independent living centers.

Status: Assembly-Died - Appropriations

AB-2952 (Nazarian) - California Department of Community Living.

The Mello-Granlund Older Californians Act establishes, within the California Health and

Human Services Agency, the California Department of Aging. Under the act, the department is required to provide programs and strategies to support the state's older population, persons with disabilities, and their caregivers.

This bill would establish the California Department of Community Living within the California Health and Human Services Agency to consolidate leadership on issues and programs serving California's older adults, people with disabilities, and caregivers. The bill would prescribe the duties of the department, including assisting older adults and people with disabilities in connecting to specified services, including care coordination, health insurance counseling, peer-based programs, and community transition services.

The bill would require the department to establish a statewide No Wrong Door system to assist older adults, people with disabilities, and caregivers in obtaining accurate information and timely referrals to appropriate community services and supports, using specified means. The bill would also make technical, nonsubstantive changes to a related provision.

The bill would require the department to assist specified state entities in carrying out their mandated duties to advocate for the needs of California's older adults and people with disabilities, and require the department to provide leadership in enhancing and streamlining access to specified programs for those individuals.

This bill would require the department to allocate funding through a number of mechanisms to programs identified by the department that link individuals to the right services at the right time. The bill would require the department to provide block grants to area agencies on aging to provide services through specified home and community-based services programs, as specified, and require the department to continue funding for independent living centers based on current levels, as specified. The bill would require the department to increase access to the Aging and Disability Resource Connection program to streamline local service delivery through funding, technical assistance, and coordination with area agencies on aging and independent living centers. ***Due to the COVID-19 Pandemic and the unprecedented nature of the 2020 Legislative Session this measure did not move forward.***

Status: Died – Assembly Aging and Long Term Care Committee

CA Senior Citizen Advocacy Voluntary Tax Contribution Fund

SB-309 (Rubio) - Personal income tax: California Senior Citizen Advocacy Voluntary Tax Contribution Fund.

This bill eliminated the requirement that the California Senior Citizen Advocacy Voluntary Tax Contribution Fund meet a minimum contribution amount in order for the fund to appear on the return for the following year, thereby allowing the fund to remain on the personal income tax form until the provisions repeal, pursuant to existing law, on January 1, 2025.

This bill declared that it is to take effect immediately as an urgency statute.

Status: Chapter 325, Statutes of 2019

California Care Corps Act

AB-568 (Reyes) - California Care Corps Act.

This measure would establish, until July 1, 2026, the California Care Corp Act to be administered by California Volunteers to enter into contracts with nonprofit grantees to select, train and place volunteers to provide respite care for a person who is at least 65 years of age, who has Alzheimer's disease or related dementia and who has difficulty with self-care or living independently and does not qualify for In-Home Supportive Services (IHSS).

The bill would specify the program provide volunteer services to primarily low-income individuals and services must not supplant or overlap with services provided under other state or federal respite programs. The bill would require the volunteers to be provided a stipend of up to \$15,000 per term (including training) and an education award of up to \$20,000 under specified criteria. Finally, this bill would require California Volunteers, with an advisory council, to evaluate the program in 2023 and 2026.

Status: Died – Assembly Appropriations Committee

Elder and Dependent Adults

AB-2302 (Arambula) - Elder and dependent adults.

(1) Existing law, the Elder Abuse and Dependent Adult Civil Protection Act, establishes various procedures for the reporting, investigation, and prosecution of elder and dependent adult abuse. Existing law makes it a crime for a mandated reporter to fail to make a report under the act.

Existing law requires each county welfare department to establish and support a system of protective services for elderly and dependent adults who may be subjected to neglect, abuse, or exploitation or who are unable to protect their own interests.

Existing law authorizes, in certain circumstances, an elder or dependent adult to be taken into temporary emergency protective custody.

For the purposes of the above-described provisions, existing law defines an elder as a person who is 65 years of age or older and a dependent adult as an adult between 18 and 64 years of age who has specific limitations.

This bill would instead define an elder as a person who is 60 years of age or older and a dependent adult as a person who is between 18 and 59 years of age and has those specific limitations. The bill would also specifically identify that a person in that age range with traumatic brain injuries or cognitive impairments is a dependent adult. By requiring counties to provide services under the above described provisions for additional individuals, and by expanding the scope of a crime under the Elder Abuse and Dependent Adult Civil Protection Act, this bill would impose a state-mandated local program.

(2) Existing law establishes the Home Safe Program, which requires the State Department of Social Services to award grants to counties, tribes, or groups of

counties or tribes, that provide services to elder and dependent adults who experience abuse, neglect, and exploitation and otherwise meet the eligibility criteria for adult protective services, for the purpose of providing prescribed housing-related supports to eligible individuals.

This bill would include in the list of housing-related supports services to support housing transitions.

Existing law requires counties that receive grants under the Home Safe Program to provide matching funds.

This bill would provide that, on and after the effective date of the bill, grantees are not required to match any funding provided that is above the base level of funding provided in the Budget Act of 2019.

(3) The Elder Abuse and Dependent Adult Civil Protection Act requires, as part of the procedures described in paragraph (1), each county to establish an adult protective services program that includes specific policies and procedures, including provisions for emergency shelter or in-home protection.

This bill would also require the policies and procedures to include provisions for homeless prevention and longer term housing assistance and support through the Home Safe Program. The bill would authorize a county that receives grant funds under the Home Safe Program to, as part of providing case management services to elder or dependent adults who require adult protective services, provide housing assistance to those who are homeless or at risk of becoming homeless. The bill would require, if an elder or dependent adult comes to the attention of adult protective services because they are homeless, and an investigation indicates that they are homeless because they have a serious mental illness or substance use disorder, the county to refer the adult to the appropriate state or local agency to receive services and supports. By imposing additional duties on counties in the administration of their adult protective services programs, this bill would impose a state-mandated local program.

The bill would require the department to convene a workgroup to develop recommendations to create or establish a statewide adult protective services case management or data warehouse system. The bill would require the department to submit the recommendations to the Legislature by November 1, 2021.

The bill would establish the Adult Protective Services FAST/Forensic Center Grant Program, to be administered by the department, for the purpose of awarding grants to counties to create, enhance, and maintain a FAST or forensic center. The bill would define, for these purposes, a FAST as a team that handles cases involving financial abuse and a forensic center as a cross-disciplinary group of professionals who collectively review, make recommendations, and provide assistance on the most complex cases of elder and dependent adult abuse and neglect.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for specified reasons.

Due to the COVID-19 Pandemic and the unprecedented nature of the 2020 Legislative Session this measure did not move forward.

Status: Died – Assembly Aging and Long Term Care Committee

Financial Abuse

AB-797 (Grayson) - Financial abuse of elder adults.

This bill would require a business that is licensed under the Money Transmission Act whose primary business function is transmitting money, that operates out of a physical storefront or location and that does not engage in other transactions, to provide notice to customers who are 65 years of age or older making the customer aware that fraud has been committed in recent years by means of money transmittals.

The bill would govern the manner for providing the notice and would require the customer who receives the notice to provide confirmation that the customer has read and understood the notice before proceeding with the transaction. The bill would require the notice to be in a form prescribed by the commissioner and required the commissioner to prescribe that form. The bill would require a civil penalty in the amount of \$5,000 to be imposed for the willful failure to provide this notice.

Status: Died – Assembly Aging and Long Term Care Committee

AB-2657 (Maienschein) - Financial abuse of elder or dependent adults.

This bill would authorize information relevant to the incident of elder or dependent adult abuse to be given to a federal law enforcement agency investigating a known or suspected case of elder or dependent adult abuse or to a local code enforcement agency investigating a property where the health and safety of an elder or dependent adult resident is at risk.

Due to the COVID-19 Pandemic and the unprecedented nature of the 2020 Legislative Session this measure did not move forward.

Status: Died – Assembly Aging and Long Term Care Committee

SB-496 (Moorlach) - Financial abuse of elder or dependent adults.

Existing law, the Elder Abuse and Dependent Adult Civil Protection Act, establishes procedures and requirements for the reporting, investigation, and prosecution of elder and dependent adult abuse. Existing law imposes various reporting requirements on mandated reporters of suspected financial abuse, as defined, and imposes a civil penalty for a violation of these provisions. Under existing law, all officers and employees of financial institutions, as defined, are mandated reporters of suspected financial abuse.

This bill expanded the category of mandated reporters of suspected financial abuse to include a broker-dealer and an investment adviser, as defined. The bill authorized a broker-dealer or investment adviser who makes a report to notify any trusted contact person who had previously been designated by the elder or dependent adult of any known or suspected financial abuse, and to temporarily delay a requested disbursement or transaction from an account of an elder or dependent adult or an account to which an elder or dependent adult is a beneficiary if specified conditions are met. The bill provided a mandated reporter with civil immunity for any notification or temporary disbursement or transaction delay made in good faith and with reasonable care pursuant to these provisions.

Existing law makes specified reports, including reports of known or suspected financial abuse of an elder or dependent adult, confidential. Any violation of the confidentiality of these reports is a misdemeanor.

This bill extended that confidentiality to a report of known or suspected financial abuse of an elder or dependent adult by a broker-dealer or investment adviser. By increasing the scope of a crime, the bill imposed a state-mandated local program.

Existing law authorizes information relevant to the incident of elder or dependent adult abuse to be given to specified investigators, including, among others, investigators from an adult protective services agency, a local law enforcement agency, and the probate court.

This bill instead required information relevant to the incident of elder or dependent adult abuse to be given to those investigators, and included an investigator from the Department of Business Oversight among those investigators to whom the information is to be given.

Existing law requires a county adult protective services agency to report every known or suspected instance of abuse of an elder or dependent adult, as specified, to law enforcement with jurisdiction over the case and to any public agency given responsibility for investigation in that jurisdiction of cases of elder and dependent adult abuse. Existing law also requires a county adult protective services agency to provide mandated reporters of suspected financial abuse of an elder or dependent adult with instructional materials regarding abuse and neglect of an elder or dependent adult and their obligation to report under these provisions.

The bill required a county adult protective services agency to additionally report a known or suspected instance of abuse reported by a broker-dealer or investment adviser and to additionally provide instructional materials to broker-dealers or investment advisers. By increasing the duties of local agencies, the bill imposed a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish

procedures for making that reimbursement.

This bill provided that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill provided that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Status: Chapter 272, Statutes of 2019

Health Care

AB-1853 (Frazier) - Health care: medical goods: reuse and redistribution.

This bill would require the department, upon appropriation by the Legislature, to establish a comprehensive 3-year pilot program in the Counties of Contra Costa, Napa, and Solano to facilitate the reuse and redistribution of durable medical equipment and other home health supplies. The bill would require the department to contract in each county with a local nonprofit agency to oversee the program and would require the contracting nonprofit agency to, at a minimum, develop a computerized system to track the inventory of equipment and supplies available for reuse and redistribution and organize pickup and delivery of equipment and supplies.

Due to the COVID-19 Pandemic and the unprecedented nature of the 2020 Legislative Session this measure did not move forward.

Status: Died – Assembly Aging and Long Term Care Committee

Housing

SB-611 (Caballero) - Housing: elderly and individuals with disabilities.

This bill established the Master Plan for Aging Housing Task Force, chaired by the director or their designee, and composed of specified stakeholders and representatives of government agencies to, among other things, identify policy strategies that will help increase the supply of affordable housing for older adults and reduce barriers to providing health care and social services to older adults in affordable housing, and make recommendations to the Legislature.

This bill required the task force to meet at least 6 times in the 2020 calendar year, and required the task force to submit a report to the Legislature by April 30, 2021, that provided specified information and policy recommendations related to the supply of affordable housing for older adults. The bill made various related legislative findings.

Status: Senate-Vetoed

Governor's Veto Message: To the Members of the California State Senate:

I am returning the following bills without my signature:

AB 1382

SB 611

These bills create an aging housing task force and a master plan for aging that focuses on workforce priorities, and require the state to consider applying to join a voluntary network.

Earlier this year, I issued Executive Order N-14-19, which directs the Secretary of the Health and Human Services Agency to work with a broad array of stakeholders, including the Legislature, to develop a Master Plan for Aging to serve as a blueprint that can be used by state government, local communities, private organizations and philanthropy to build environments that promote healthy aging. Issues relating to workforce and affordable housing needs, as well as opportunities to engage with other jurisdictions, will be considered as part of this holistic approach to addressing the needs of older Californians.

When the Master Plan is completed, I look forward to working with the Legislature to evaluate and implement its recommendations.

Sincerely,

Gavin Newsom

Long-Term Care Insurance

AB-567 (Calderon) - Long-term care insurance.

This bill established the Long Term Care Insurance Task Force in the Department of Insurance, chaired by the Insurance Commissioner or the commissioner's designee, and composed of specified stakeholders and representatives of government agencies to examine the components necessary to design and implement a statewide long-term care insurance program. The bill required the task force to recommend options for establishing this program and to comment on their respective degrees of feasibility in a report submitted to the commissioner, the Governor and the Legislature by July 1, 2021.

The bill required the department to produce, no later than July 1, 2022, an actuarial report of those recommendations, to be shared with and approved by the task force. If approved, the bill would require the report to be submitted to the Legislature.

Status: Chapter 746, Statutes of 2019

Long-Term Services and Supports

SB-512 (Pan) - Long-term services and supports.

This bill would establish the California Long-Term Services and Supports Benefits Board (LTSS Board), to be composed of 9 specified members, including, among

others, the Treasurer as chair, the Secretary of California Health and Human Services as vice chair, and 3 members to be appointed by the Governor. The bill would require the LTSS Board to manage and invest revenue deposited in the California Long-Term Services and Supports Benefits Trust Fund (LTSS Trust), which the bill created in the State Treasury, to, upon appropriation, finance long-term services and supports for eligible individuals.

The bill would also create, until January 1, 2025, the Long-Term Services and Supports Advisory Committee for the purpose of providing ongoing advice and recommendations to the LTSS Board.

Status: Died – Assembly Appropriations Committee

Master Plan for Aging

AB-1382 (Aguilar-Curry) - Master Plan for Aging.

This bill would require the state to adopt a Master Plan for Aging, emphasizing workforce priorities. The bill would require the Master Plan for Aging to prioritize specified issues related to preparing and supporting the state's paid paraprofessionals and professionals, as well as unpaid family caregivers. These issues included, but are not limited to, (1) addressing the need for a well-trained and culturally competent paid paraprofessional and professional health care and long-term care workforce, and (2) developing recommendations regarding the need for high-quality, affordable, and accessible respite services throughout the state for unpaid family caregivers.

The bill would require the Master Plan for Aging to include an implementation plan specifying the goals, objectives, and timelines for meeting the requirements set forth in those provisions. The bill would make findings and declarations relating to the objectives of the master plan.

Status: Assembly-Vetoed

Governor's Veto Message: To the Members of the California State Assembly:

I am returning the following bills without my signature:

AB 1382
SB 611

These bills create an aging housing task force and a master plan for aging that focuses on workforce priorities, and require the state to consider applying to join a voluntary network.

Earlier this year, I issued Executive Order N-14-19, which directs the Secretary of the Health and Human Services Agency to work with a broad array of stakeholders, including the Legislature, to develop a Master Plan for Aging to serve as a blueprint that can be used by state government, local communities, private organizations and philanthropy to build environments that promote healthy aging. Issues relating to workforce and affordable housing needs, as well as opportunities to engage with other jurisdictions, will be considered as part of

this holistic approach to addressing the needs of older Californians.

When the Master Plan is completed, I look forward to working with the Legislature to evaluate and implement its recommendations.

Sincerely,

Gavin Newsom

SB-228 (Jackson) - Master Plan on Aging.

By executive order, the Governor ordered that a master plan for aging be developed and issued to serve as a blueprint to implement strategies and partnerships that promote healthy aging and prepare the state for upcoming demographic changes. The executive order requires the Secretary of the California Health and Human Services Agency to convene a Cabinet-level Workgroup for Aging to advise the secretary in developing and issuing the master plan.

This bill required the secretary, in coordination with the Director of the California Department of Aging, to lead the development and implementation of the master plan established pursuant to that executive order. The bill required the secretary and the director, with the assistance of the workgroup, to work with specified agencies, as needed, to identify policies, efficiencies, and strategies necessary to implement the master plan. The bill also required the workgroup to solicit input and gather information to assist with the implementation of the master plan. The bill required the department to submit a report to the Governor and the Legislature by October 1, 2020, and submit updates annually thereafter, until October 1, 2030, regarding the master plan.

Status: Chapter 742, Statutes of 2019

Mental Health

AB-480 (Salas) - Mental health: older adults.

This bill established within the State Department of Health Care Services an Older Adult Mental Health Services Administrator to oversee mental health services for older adults. The bill required that position to be funded with administrative funds from the Mental Health Services Fund. The bill prescribed the functions of the administrator and its responsibilities, including, but not limited to, developing outcome and related indicators for older adults for the purpose of assessing the status of mental health services for older adults, monitoring the quality of programs for those adults, and guiding decisionmaking on how to improve those services.

The bill required the administrator to receive data from other state agencies and departments to implement these provisions, subject to existing state or federal confidentiality requirements. The bill required the administrator to report to the entities

that administer the Mental Health Services Act (MHSA) on those outcome and related indicators by July 1, 2022, and would authorize the administrator to make the report available to the Legislature, upon request. The bill also required the administrator to develop a strategy and standardized training for all county mental health personnel in order for the counties to assist the administrator in obtaining the data necessary to develop the outcome and related indicators. This bill declared that it clarifies procedures and terms of the MHSA.

Status: Senate-In Committee Process - Appropriations

Older Adults

AB-3135 (Eduardo Garcia) - Older adults: food insecurity.

Existing law specifies the duties of the California Commission on Aging, including serving as the principal advocate body in the state on behalf of older individuals, actively participating and advising the department in the development and preparation of the State Plan on Aging, and performing other duties as may be required by statute, regulation, or resolution.

This bill additionally requires the commission to study the impact of malnutrition on older adults in all health care settings in this state and to monitor the influence of malnutrition on older adults' health care costs and outcomes and quality indicators, among other duties related to the prevention of malnutrition in older adults.

Due to the COVID-19 Pandemic and the unprecedented nature of the 2020 Legislative Session this measure did not move forward.

Status: Died – Assembly Aging and Long Term Care Committee

SB-453 (Hurtado) - Older adults.

This bill required the California Department of Aging to develop a core model of ADRC best practices, and would require ADRC programs operated jointly by area agencies on aging and independent living centers to implement these best practices by July 1, 2022. In developing those best practices, the bill required the department to consider specified practices, including, among others, a person-centered counseling process. The bill deleted the contingent operation and instead make the implementation of these provisions, and the existing ADRC provisions, contingent on an appropriation of funds for that express purpose.

This bill required the California Department of Aging to take specified actions with regard to the implementation of the No Wrong Door System, including, among other things, developing a plan for, and overseeing the implementation of, the No Wrong Door System and coordinating funding sources for the No Wrong Door System. The bill required the State Department of Health Care Services to determine if the Medicaid administrative claiming process may be used to fund the No Wrong Door System, or activities associated with the No Wrong Door System, and, if so, authorized the department to take necessary action to receive that funding. The bill made the implementation of these provisions contingent on an appropriation of funds for those express purposes.

Status: Chapter 850, Statutes of 2019

PACE Program

AB-1128 (Petrie-Norris) - Program of All-Inclusive Care for the Elderly.

This bill exempted from licensure by the State Department of Public Health a primary care clinic, an adult day health care center, or a home health agency, that is approved by the State Department of Health Care Services to operate exclusively as part of a Program of All-Inclusive Care for the Elderly (PACE) organization or that provides services to individuals who are being assessed for eligibility to enroll in the PACE program for not more than 60 calendar days after an individual submits an application for enrollment. The bill instead subjected those entities to oversight and regulation by the State Department of Health Care Services. The bill required those entities to comply with the operating standards described in their respective provisions, except as modified by the State Department of Health Care Services, to meet the needs of PACE participants or those individuals being assessed. The bill required those entities to apply for licensure with the State Department of Public Health if they provide services to any other individuals, as specified. The bill repealed related provisions as part of conforming changes.

The bill conditioned the transfer of powers between the 2 departments on the Director of Health Care Services determining, and communicating that determination in writing to the State Department of Public Health, that operating standards compliance programs have been established.

The bill required those PACE organizations to cooperate with the State Department of Health Care Services by providing the department with requested records or information or with access to inspect physical locations. The bill authorized the department to refuse to enter into, or to terminate, a contract with a noncompliant or noncooperative PACE organization, or to require that PACE organization to submit a corrective action plan to bring it into compliance, as specified.

The bill authorized the department to enter into contracts, or to amend existing contracts, on a bid or negotiated basis, to implement these provisions, and would authorize the department to implement, interpret, or make specific these provisions by means of letters, bulletins, or other similar instructions, without taking regulatory action. The bill required the department to implement these provisions no later than January 1, 2021, but only to the extent any necessary federal approvals are obtained and federal financial participation is available.

The bill required the department to establish an administrative fee to be paid by each of those PACE organizations, as specified, in an amount necessary to pay for reasonable costs of implementing and administering these provisions. The bill created a special fund, the PACE Oversight Fund of the State Department of Health Care Services, for the deposit of the fees, to be expended upon appropriation by the Legislature.

This bill incorporated additional changes to Section 1206 of the Health and Safety

Code proposed by AB 1037 to be operative only if this bill and AB 1037 are enacted and this bill is enacted last.

Status: Chapter 821, Statutes of 2019

AB-2492 (Choi) - California Program of All-Inclusive Care for the Elderly (PACE program).

This bill would require the department, if the department approves a Program of All-Inclusive Care for the Elderly (PACE) center to provide PACE services, to authorize the PACE center to provide PACE services for the maximum number of individuals for which the PACE center is eligible to provide PACE services. The bill would further require the department to give this authorization in writing and provide detailed reasons for the specific maximum number of individuals for which the PACE center is eligible to provide services.

Due to the COVID-19 Pandemic and the unprecedented nature of the 2020 Legislative Session this measure did not move forward.

Status: Died – Assembly Aging and Long Term Care Committee

Protective Orders

AB-1396 (Obernolte) - Protective orders: elder and dependent adults.

This bill authorized the court to order a restrained party, if appropriate, to participate in mandatory clinical counseling or anger management courses, as specified, when the court issues a protective order for abuse involving acts of physical abuse or acts of deprivation by a care custodian of goods or services that are necessary to avoid physical harm or mental suffering. The bill required the Judicial Council, on or before January 1, 2021, to revise or promulgate forms as necessary to effectuate these provisions.

Status: Chapter 628, Statutes of 2019

Residential Care Facilities

AB-3138 (Waldron) - Residential care facilities for the elderly: electronic monitoring.

(1) The California Residential Care Facilities for the Elderly Act (act) generally requires the State Department of Social Services to license, inspect, and regulate residential care facilities for the elderly and imposes criminal penalties on a person who violates the act or who willfully or repeatedly violates any rule or regulation adopted under the act. The act enumerates specific rights and liberties for residents that are to be posted inside the facility and personally provided to each resident. These rights include, among others, being granted a reasonable level of personal privacy in accommodations, medical treatment, personal care and assistance, visits, communications, telephone conversations, use of the internet, and meetings of resident and family groups.

This bill would enact the Electronic Monitoring in Residential Care Facilities for the Elderly Act to authorize the use of electronic monitoring either inside a resident's room by a resident or in certain areas of a facility by the facility under specified conditions. For the use of a personal electronic monitoring device inside a resident's room by a

resident, the bill would require, among other things, the resident or the resident's responsible party, as defined, to provide the facility with a completed notification form, created by the department, that includes the consent of the resident's roommate, if any. The bill would also require the resident or the resident's responsible party to post a sign at the entrance to the resident's room stating that the room is monitored electronically. For the use of a facility electronic monitoring device by a facility, the bill would require the facility to, among other things, provide written disclosure to the department and each resident or the resident's responsible party of the electronic monitoring, archive the electronic monitoring digital data for 365 days, and provide the department access to the data upon 24 hours' notice. By expanding the duties of licensed facilities under the act with regard to authorizing residents and facilities to conduct electronic monitoring under these conditions, the bill would expand an existing crime, thereby imposing a state-mandated local program.

The bill would prohibit a person from knowingly hampering, obstructing, tampering with, or destroying a personal electronic monitoring device or a facility electronic monitoring device or the recordings made therefrom, except as provided. By creating new prohibited conduct under the act, the violation of which is a crime, the bill would expand an existing crime, thereby imposing a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Due to the COVID-19 Pandemic and the unprecedented nature of the 2020 Legislative Session this measure did not move forward.

Status: Died - Assembly Aging and Long Term Care Committee

Senior and Disability Victimization

SB-338 (Hueso) - Senior and disability victimization: law enforcement policies.

This bill eliminated the duty imposed on long-term care ombudsman programs to revise or include in their policy manuals specified information regarding elder and dependent adult abuse. The bill also authorized local law enforcement agencies to adopt a policy regarding senior and disability victimization, as defined. The bill required, if a local law enforcement agency adopts or revises a policy regarding elder or dependent adult abuse or senior and disability victimization on or after April 13, 2021, that the policy include specified provisions, including provisions related to enforcement and training. The bill also made clarifying changes to provisions related to the entities that have jurisdiction to investigate elder and dependent adult abuse.

Status: Chapter 641, Statutes of 2019

Supportive Housing for the Elderly Program

AJR-15 (Bloom) - Section 202 Supportive Housing for the Elderly Program.

This measure stated the Legislature's support for federal funding of at least \$600

million per year to support the construction and operation of affordable housing through the Section 202 Supportive Housing for the Elderly Program and called on the President of the United States and the United States Secretary of Housing and Urban Development to support significantly increased funding for that program.

Status: Chapter 147, Statutes of 2019

Universal Assessments

AB-1287 (Nazarian) - Universal assessments: No Wrong Door system.

By executive order, the Governor ordered that a master plan for aging be developed and issued to serve as a blueprint to implement strategies and partnerships that promote healthy aging and prepare the state for upcoming demographic changes.

This bill required the master plan for aging developed pursuant to that executive order to consider the efficacy of utilizing a No Wrong Door System. The bill specified the purpose of the No Wrong Door system as assisting older adults, people with disabilities, and caregivers in obtaining accurate information and timely referrals to appropriate community services and supports.

The bill also required that master plan for aging to consider the efficacy of using a universal tool and process that is capable of assessing individual need and determining initial eligibility for programs and services available in the long-term services and supports delivery network.

Status: Chapter 825, Statutes of 2019